



City of Seattle

Department of Planning and Development

Diane M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Project Number: 3011867

Applicant Name: Chris Davidson with Studio Meng Strazzara Architecture
for GRE Greenwood Avenue LLC

Address of Proposal: 301 N. 107th Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a four-story building containing three live-work units at grade with 54 residential units above. Parking for 40 vehicles to be provided at grade within the structure. The existing on-site structures will be demolished.

The following approvals are required:

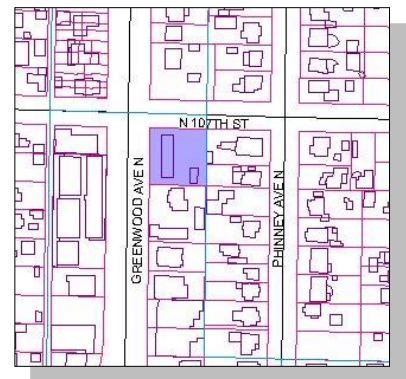
Design Review - Seattle Municipal Code (SMC) Chapter [23.41](#).

SEPA - Environmental Determination – SMC Chapter [25.05](#).

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS
 ☒ DNS with conditions
 ☐ DNS involving non-exempt grading, or demolition or
 involving another agency with jurisdiction.

Notice of Application and Comment Period

Public notice of the Early Design Guidance meeting was given on February 24, 2011. The meeting was held on March 14, 2011. Public notice of the application was given on May 12, 2011; the public comment period on the application ran from May 12 to May 26, 2011. Public notice of the Design Review Recommendation meeting was given September 1, 2011; the meeting was held on September 26, 2011. The Land Use Application file is available at the Public Resource Center located at 700 Fifth Ave, Suite 2000¹.



¹ <http://www.seattle.gov/dpd/PRC/LocationHours/default.asp>

BACKGROUND DATA

Project Description

The applicant proposes a 4-story (approximately 40 foot high) mixed-use development consisting of approximately 54 residential units, three live-work units at grade, with parking for 40 vehicles to be provided within the structure at grade in new construction. The existing structures on-site will be demolished.

Vicinity Information

The site is located at the southeast corner of Greenwood Avenue N. and N. 107th Street. The site consists of one parcel of approximately 14,647 s.f., which was previously home to a self-serve car wash business. The car wash business has closed, but the structures remain, and the site is enclosed with a chain link fence. The site is relatively flat. The site is currently vacant, relatively flat, and mostly grass-covered. Adjacent uses include single family homes across N. 107th Street to the north and adjacent to the site to the east, a multifamily housing development to the south, and multifamily housing and Bick's restaurant across Greenwood Avenue to the west. The sites to the east of the project are zoned single-family. The sites to the west and south of the project are zoned C1-40. The sites across N. 107th to the north are zoned LR-3. The block containing the project site does not contain an alley. The site itself is zoned Commercial 1 with a 40' height limit (C1-40), and is at the northernmost edge of the C1-40 zoning along Greenwood Avenue, before it transitions to Lowrise multifamily zoning.

The neighborhood is a transitional area from heavy commercial strip development farther to the south along Greenwood into more multifamily uses. Greenwood Avenue has experienced a heavy increase in townhouse development, particularly to the north of the project site. Greenwood Avenue is a major north-south route in Seattle, and has been developed in the last 30 years with many larger apartment building projects. Much of the area lacks sidewalks and parking generally occurs in what would be the planting strip/sidewalk area. Two blocks to the south of the project site is the intersection of Greenwood Avenue/N.105th St/Holman Road, which is a main intersection connecting Ballard and other northend neighborhoods to Northgate and I-5.

ANALYSIS — DESIGN REVIEW

Design Guidance

At the Early Design Guidance meeting held on March 14, 2011. **Three development options were presented** — the 'Option A' (the preferred option), 'Option B' and 'Option C'. However, all three use a common scheme for the massing and structure siting. The 'Preferred Option' — fronts on Greenwood Ave N — includes live/work units at the ground level with three levels of residential units above. Ground level parking for vehicles is located on the eastern portion of the site and is covered by three levels of residential units. The residential upper levels are setback 10-15' feet from the east property line.

Public Comment

Two members of the public spoke at the Early Design Review meeting. The following comments, issues and concerns were raised:

- On street parking demand is very high.
 - Applicant's response: Code required parking is being provided on the site.
- Owner/resident from the adjacent northern building stated that they were concerned about 'guest parking'.
- Wanted to know the timeline for construction.

DESIGN GUIDELINE PRIORITIES

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following design recommendations.

A. Site Planning

- A-1 Responding to Site Characteristics.** The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, located on prominent intersections, unusual topography, significant vegetation and views or other natural features.

At the Early Design Guidance Meeting, the Board inquired about code compliance for the landscape buffer at the setback along Single Family zone to east. The Board requests design team to do a study of additional modulation along eastern side of building.

The Board also requested a study of more developed response to street along 107th Street and would like to see more transparency at the live/work area at corner of Greenwood Avenue & 107th Street.

- A-2 Streetscape Compatibility.** The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

At the Early Design Guidance Meeting, the Board expressed a concerned about commercial frontage requirements along 107th Street.

The Architect needs to confirm zoning requirements along this street. If required by code, Board would prefer to see more live/work square footage along this street.

Design Team to confirm depth of live/work units to confirm that they meet minimum and average requirements.

- A-5 Respect for Adjacent Sites.** Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

At the Early Design Guidance Meeting, the Board requested the design team to review a possible cage or lid along east over open parking area.

The Architect noted that enclosing the parking lot would be extremely expensive because it would necessitate the installation of additional mechanical ventilation at the parking area.

- A-6 Transition Between Residence and Street.** For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

At the Early Design Guidance Meeting, the Board stated that it would like to see a study of proper screening between parking area and 107th Street.

- A-7 Residential Open Space.** Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

At the Early Design Guidance Meeting, the Board stated that a roof deck offers a great opportunity for views. The Board would like to have design team review possible options for inclement weather protection on roof deck.

- A-10 Corner Lots.** Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

At the Early Design Guidance Meeting, the Board stated that it would like to see a study of the street corner at the intersection of Greenwood Ave and 107th Street. The study could include adding transparency by wrapping the storefront at this corner.

B. Height, Bulk and Scale

- B-1 Height, Bulk, and Scale Compatibility.** Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.

At the Early Design Guidance Meeting, the Board asked the design team to look at details that add dimensionality to façade with relief at windows, etc.

C. Architectural Elements and Materials

- C-1 Architectural Context.** New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

At the Early Design Guidance Meeting, the Board discussed the “dreary context” at the site, except for Bick’s Grill Restaurant nearby. Bick’s could help make this the “identity” of the neighborhood.

- C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.**

At the Early Design Guidance Meeting, the Board noted it would like the design team to look at options for a more detailed roofline at building parapet.

Board believes that masonry is appearing too bulky in the provided renderings and wonders if a panelized system at the blank walls might be more fitting. Board wants design team to explore options including masonry as a solid base at the live/work area rather than tall blank walls.

Board agrees that a trade off for reduced modulation for higher level of detailing at exterior finish materials is acceptable but could potentially include more expensive materials in specific highly visible locations.

D. Pedestrian Environment

- D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building’s entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry area should be protected from the weather. Opportunities for creating lively, pedestrian-oriented space should be considered.**

At the Early Design Guidance Meeting, the Board stated that it would like to see a study of entrance canopies extending over live/work as well as the residential entry. Perhaps this could be a continuous canopy along Greenwood Avenue façade.

- D-2 Blank Walls. Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.**

At the Early Design Guidance Meeting, the Board stated that it would like to see a transition between materials at the blank walls.

- D-7 Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.**

At the Early Design Guidance Meeting, the Board stated that it would like to see the transparency of the live/work units wrap the corner of 107th Street & Greenwood Avenue for potential increased security and visibility in this intersection.

E. Landscaping

E-2 Landscaping to Enhance the Building and/or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

At the Early Design Guidance Meeting, the Board stated that is would like a study of landscaping at the building base to buffer the parking and the adjacent sites. The Board would look at trading a strip of landscaping at building base along live/work would be better for canopies along this commercial front. If canopies exist here, only hardscape can be installed below as plantings would not survive underneath overhang.

Closing Comments from the Board:

The board approved the project for EDG and looks forward to further refinement at the Recommendation Meeting. The project is ready to apply for master use permit.

Recommendation meeting will require the following:

- Color and Materials board
- 107th Street Code Review
- More detailed design including screening for parking
- General siting and massing is accepted but east façade facing SF zone needs to be reviewed.

RECOMMENDATION MEETING: September 26, 2011

Applicant's Presentation

The presentation team consisted of Chris Davidson from Studio Meng Strazzara and Mark Brumbaugh from Brumbaugh and Associates (landscape architects).

The architect presented the revised project to the Board and outlined the changes made to the project in response to the Board's Early Design Guidance.

Mr. Davidson first highlighted the main changes to the overall building. The building materials have changed from a more modern concept (CMU and white-colored paneling) to a more residential palette (lap siding with a more muted color scheme, using an accent color to "pop"). One of the live/work units on Greenwood has been changed to the leasing office. The project has provided a landscaped buffer area along 107th for the adjacent single family home. The project has also provided two choices of treatment for the blank wall on the south façade of the building.

Mr. Davidson then walked around the building facades, highlighting the major design elements. Along the Greenwood frontage, the live/work unit at the corner of Greenwood and 107th wrapped its windows around to 107th to create more transparency along the 107th street frontage. Previously the project included a live/work unit in the middle of the façade, near the residential lobby entry. This live/work unit has been changed to the leasing office. Although the leasing office is not considered to be a "commercial" use under the Land Use Code, it will lend the façade a more commercial character as a

leasing/management person will be present during regular business hours. Almost the entire front façade includes weather-protecting overhead canopies. The underside of the canopies will be colored orange to lend some additional interest to the streetscape. Below the canopies are can lights and blade signs for the live/work units. Landscaping is proposed to consist of the existing landscaping/sidewalk SDOT completed a few years ago. Signage for the building will be placed above the residential lobby entry.

Along the 107th Street façade, the live/work transparency wraps the corner. Existing landscaping on the 107th Street frontage will be retained, and the project will also add significant landscaping in the form of blue oat grass and Boston Ivy to screen the blank walls that screen the parking garage below. The parking garage obtains access for 107th Street; the design team has proposed a swinging gate of lap siding/residential materials that will control parking entrance and exit, as well as screen the parking area. At the easternmost corner of the building, the project proposes a large landscaped area, approximately 15 feet wide, to help the transition area to the single family home to the east.

Along the eastern façade of the building, the parking area (exposed to the air) will be approximately 10 feet below the level of the single family garage adjacent to the project. The parking area will be contained with a concrete retaining wall, with a 6-foot residential fence above to allow a more residential transition to the single family zoning. The project has set back 15 feet from the property line; the single family home is approximately 25 feet from the property line, allowing a 40 foot separation between the building and its single family neighbor to the east. Dense existing landscaping will also assist in buffering the home from the project. The project has stepped back an additional one foot along the portion of the building façade closest to the single family residence in order to further modulate the façade and reduce height bulk and scale impacts.

On the southern façade of the building facing the existing apartment building, two blank wall options were presented to the Board. One Option consisted of two orange-colored insets within a gray hardy panel wall. The second Option included multiple orange stripes (“Tiger Stripes”) that would add interest to the building façade in this location.

Mr. Davidson addressed an issue with the vault location. Currently the project is designed with the vault room exiting directly south of the residential lobby. The vault room must be generally in this location due to the power in Greenwood Avenue (there is no power on 107th). SCL has changed its policy and now no longer requires double doors to access the vault. Therefore, the vault room could be reconfigured to exit into the residential lobby, reducing the impact of the blank vault room doors on the Greenwood façade. Mr. Davidson asked the Board for its input regarding this issue.

Mr. Brumbaugh presented the landscape plan for the project. He explained that SDOT prefers that the native landscaping remain on 107th and stated that Bill Ames had requested the project plant three serviceberry trees/shrubs along 107th. Along Greenwood SDOT had requested that the sidewalk remain as-is, as the sidewalk and landscaping was completed by SDOT recently. The landscape buffer at the northeast corner of the building will consist of dense landscaping with Katsura trees and juniper bushes, as well as a dog rock to help maintain the health of plants. The roof deck features an extensive amenity/green roof area. The green roof will consist of a sedum mat product which will grow year-round. It will be irrigated for use during the months of July and August.

Mr. Davidson addressed the departures for the project. The first departure requested was for an allowance of the amount of frontage along Greenwood in residential use. Mr. Davidson explained that the leasing office is considered to be accessory to the residential use and although it operated just as any other commercial use (office), it is technically counted as a residential use. The second departure requested was for an exception to the depth of live/work units. Because the units wrap the corners, they technically front on the north and south facades of the building, where the depth is not technically adequate when measured parallel to the street. The unit depth is code-compliant when measured perpendicular to the street frontage, however. The final departure was for the required area of transparency between 2' and 8' along 107th Street. The building is not transparent in this location to screen the at-grade parking, and due to shear wall issues. The blank wall has been addressed with landscaping and vines that will screen the wall and provide a good streetscape experience on 107th.

Public Comment (at the Final Recommendation meeting)

- This is a nice looking building, like the aesthetics. Concerned about density of neighborhood/parking issue. Glad to have the unsightly old car wash gone. Like the clean and modern look of the building.
- Concerned about the number of residential units without dedicated parking stalls.
- The result with many live/work units is that they operate as residential units with closed blinds. What can be done with the design to better improve the likelihood that these units will be operated as retail/commercial spaces? The entries of the live/work units could be better emphasized, or could be recessed with special lighting to highlight them. The weather protection is good. Like the commercial storefront materials used on the Greenwood frontage for the live/work units. Important to dress up the blank façade on the south side of the building, but maybe Option B (Tiger Stripes) is too loud.
- The single family property owner to the east is happy to see this property redevelop, as the existing car wash is a blight. He is disappointed to see more of a residential development here, he would like more commercial, specifically a coffee shop, as there is no good coffee within walking distance. What is the height of the building (44'), and does that include mechanical penthouses (no)? Somewhat concerned about a lack of sunshine on his property, especially later in the day. Concerned about overflow parking. Will the City address sidewalk issues farther down 107th (no)? Likes the sidewalk on 107th, but ripped out the City-installed wild roses, as they get out of control and collect garbage. How is the project dealing with trash deliveries? Overall, the building looks nice.
- Will there be alternative energy provided in the building?
- How is the transformer vault ventilated (fresh air intake, fan on roof exhaust).

Board Deliberations

The Board discussed their main issues with the Project: landscaping along Greenwood, security in the parking lot, height bulk and scale, the functioning of the gate to the parking area, how the trash area would work, the vault area, and the blank wall options.

Regarding landscaping along Greenwood, the Board felt that more should be included, as Greenwood looked desolate, particularly in comparison to 107th Street which is quite lush. Landscaping could also be used to highlight the live/work entries to make them appear more inviting and more like commercial

entries. The Board recommended placing a condition on the project to require additional landscaping where possible along Greenwood Avenue North.

The Board discussed safety and security of the open parking lot. The Board agreed that it was not feasible to enclose the parking lot due to the building's program and grades. The Board expressed a concern that the parking area should be well-lit and as secure as possible to ensure residents' cars are not broken into.

Height bulk and scale as the project relates to the adjacent single family home was discussed. Concern about sunshine and shadows was expressed. However, the Board found that the 15' setback of the building from the property line, the 1' modulation of the building, combined with the 25' setback of the single family home and the existing landscaping would help mitigate for the condition.

The Board discussed the gate securing the parking access. A sliding gate will not work in this location because it will harm the landscaping provided along the 107th wall to screen the blank condition. The grade of the driveway may make the swinging gate difficult to operate in reality. The Board questioned the use of fully screening materials (lap siding) on the gate; the Board believed that a more traditional grill gate may be acceptable in this location. The Board asked the applicant to work with DPD to come up with a more acceptable gate solution.

The Board was concerned about the placement of trash on the sidewalk of 107th as this is a school walk route and is one of the only routes with a partial sidewalk. Currently the plan for the trash is to have a tractor pull it up all the way through the parking garage to the sidewalk for pickup. There are grade issues related to where trash may sit (SPU/Waste Management will not allow trash to be stored on a slope). The Board asked the applicant to work with DPD to come up with a better solution for trash/recycling management that did not impede the sidewalk but satisfied SPU/Waste Management.

The Board understood the vault issue and expressed support for the vault to exit into the residential lobby. The loss of the vault door results in a blank wall on the Greenwood façade that should be mitigated either through the stamping of concrete, or the use of landscaping planters in this location.

The Board liked design Option A for the blank wall to the south. The Board asked that the scoring lines for the material be similar to the storefront window pattern.

The Board discussed the live/work entries along Greenwood. They do not appear "commercial enough" and should be emphasized in a better way. Could the doors be made a different color? Could banding be added to the top of the façade? Could landscaped pots be added to emphasize the entries? The Board recommended that the applicant work with DPD to find a solution to this issue.

The Board discussed the requested departures. **The first departure** (commercial frontage on Greenwood) was unanimously granted. The Board stated that it is ridiculous that a commercial office use (leasing office) is not considered to be "commercial" under the Land Use Code. The configuration of the leasing office will need to be changed to make it function as a true commercial use activating the streetscape. The Board requested a condition requiring the applicant to ensure the transparency of the use, so the streetscape is not looking into a hallway, but is looking at an actual use and an actual person.

The second departure (live/work depth) was also unanimously granted. The project team designed the live/work units to wrap the corner in response to the Board's guidance, and the result is live/work units that will be more functional.

The third departure (transparency along 107th) was also unanimously granted. The walls screen the parking area, and the walls are screened by landscaping, which results in an overall better design. The Board was concerned with the viability of planting along the north wall and requested a condition requiring the applicant to ensure the viability of the planting along the north wall.

The Board finally reviewed its previous guidance given at the Early Design Guidance meeting. The Board found that the project had met its guidance, and it unanimously recommended approval of the project, with the following conditions:

- 1) Increase the amount of landscaping along Greenwood Avenue North, either in planter boxes near the building or in planting strips/tree wells closer to the street. Pay particular attention to those areas near the building where there are no overhead weather canopies.
- 2) The project shall redesign the vault room to reduce the impact of the exit doors on the Greenwood façade. Potential redesign options may include "Option B" as shown in the design review presentation. The blank wall condition created by the vault room should be mitigated with a stamped concrete treatment or by landscaping (planters or strip).
- 3) The entries/storefronts of the live/work units should be emphasized to signal that they are commercial entries. Emphasis could be done by the addition of planter boxes/pots, or by adding color or definition to the storefront window system and live/work doors.
- 4) The applicant shall work with DPD to ensure a good solution for trash/recycling storage on trash/recycling day. The trash and recycling should not be placed on the sidewalk of 107th for pickup.
- 5) The applicant shall work with DPD to redesign the parking gate. The parking gate need not include full screening, but should not damage the landscaping on 107th, and should not impede pedestrian traffic.
- 6) The applicant shall ensure through the use of irrigation and proper plant choice that the landscaping screening the blank wall on 107th is viable.
- 7) The leasing office shall maintain transparency to the street; the area fronting the street must be in active use, not in hallway or other inactive use.
- 8) The Board recommends Option B for the southern blank wall treatment.

Director's Decision

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the recommendations and decision of the Design Review Board made by the members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multi-family and Commercial Buildings. The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design with the conditions summarized at the end of this Decision.

ANALYSIS—SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05) because the proposed project is located in a commercial zone and exceeds four dwelling units.

The applicant provided the initial disclosure of this development's potential impacts in an environmental checklist dated April 12, 2011. The Department of Planning and Development has analyzed the environmental checklist submitted by the project applicant, reviewed the project plans, considered pertinent public comment; and forms the basis of this analysis and decision based on its experience as lead agency with review of similar projects.

As indicated in this analysis, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC [25.05.665 D](#)) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, "*Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations. Adverse impacts are anticipated from the proposal. Thus, a more detailed discussion of some of the impacts is appropriate and is noted below.

Short -Term Impacts

The following temporary construction-related impacts are expected: temporary soils erosion; temporarily decreased air quality due to dust and other suspended air particulates during construction; increased noise from construction operations and equipment; increased traffic and parking demand from construction personnel; tracking of mud onto adjacent streets by construction vehicles; conflict with normal pedestrian movement adjacent to the site; and consumption of renewable and nonrenewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section [25.05.794](#)). Although not significant, these impacts may be adverse, and in some cases, mitigation is warranted.

City codes and/or ordinances apply to the proposal and will provide adequate mitigation for some of the identified impacts. Specifically these are: 1) Grading and Drainage Control Ordinance, SMC [22.800](#) (storm water runoff, temporary soil erosion, and site excavation); and 2) Street Use Ordinance (tracking of mud onto public streets, and obstruction of rights-of-way during construction). Other agencies will provide adequate mitigation for the identified impacts, such as the Puget Sound Clean Air Agency (dust/air impacts during construction).

Earth

The proponents have submitted preliminary soils analysis for DPD review. The soils analysis states that underlying approximately 1.5 feet of fill dirt, the project site's soils consist primarily of silty sand

and silty sand with gravel extending to a depth of about six feet below existing grades. Groundwater was not observed during the fieldwork, which occurred in April 2011. However, perched groundwater could likely be present during the winter and spring months, primarily in deeper excavations. Temporary erosion control measures were suggested by the geotechnical report, including temporary construction entrances and drive lanes, consisting of at least 12 inches of quarry spalls to minimize off-site soil tracking and to provide stable access entrance surfaces. Other measures should consist of silt fencing placed along the down gradient side of the site. All such control measures are consistent with the City's Grading and Drainage Control Ordinance. DPD anticipates further study and design associated with the grading and construction permits. DPD geotechnical staff indicates that existing Codes (Grading and Drainage Control Ordinance, SMC [22.800](#)) provide authority to require appropriate mitigation for this project, and that no specific conditioning is warranted in this regard.

Air Quality

The on-site structures existing on the site were associated with a self car wash facility. Demolition of the structures will occur as a part of construction activities, and the project will be required to obtain an approval from the Puget Sound Clean Air Agency to demolish the buildings. Such approval is appropriate mitigation for the project, and no specific conditioning is warranted in this regard.

Environmental Health

The project site has undergone Phase I and Phase II subsurface investigations, as the project site was a former gasoline station between 1953 and 1981, after which it was converted to a self-service carwash. The original gas station building was removed at the time the car wash was constructed. Due to the fact that underground fuel tanks were at one time on site, a Phase II investigation was completed.

The Phase II investigation found that any former underground storage tanks have likely been removed, however, there may be another fuel tank still existing on the site. Chemical analysis of soil samples indicated that where sampled, soils have not been adversely affected by petroleum hydrocarbons, except for trace detections at approximately 9 feet deep. It appears that the soils during the investigation are in compliance with the Model Toxics Control Act (WAC [173-340](#)) cleanup levels.

The Model Toxics Control Act is administered by the Washington Department of Ecology (DOE) and establishes processes and standards to identify, investigate, and clean up facilities where hazardous substances have come to be located. DPD alerts the applicant to this law and provides a contact: Joe Hickey, DOE, (425) 649-7202. Should any underground storage tanks or contamination be discovered, DOE should be immediately contacted.

Disposal of contaminated fill is regulated by the City/County Health Department, contact: Jill Trohimovich, (206) 263-8496.

Existing regulations adequately address potential impacts to environmental health. In addition, there is no evidence of environmental health issues on the project site. No further conditioning of site cleanup or hazardous waste treatment is warranted pursuant to SEPA policies.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves

result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Streets and Sidewalks

The proposed on-site demolition, excavation and construction are controlled by a demolition/building permit, separate from this Master Use Permit. The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Any temporary closure of the sidewalk and/or traffic lane(s) is controlled with a street use permit through the Seattle Department of Transportation. It is the City's policy to minimize or prevent adverse traffic impacts which would undermine the stability, safety, and/or character of a neighborhood or surrounding areas (25.05.675 R).

In this case, adequate mitigation is provided by the Street Use Ordinance, which regulates and provides for accommodating pedestrian access. Therefore, additional mitigation under SEPA is not warranted.

Construction Noise

As redevelopment proceeds, noise associated with demolition/construction activities at site could adversely affect the surrounding residential/commercial uses. Due to the proximity of these uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC [25.05.665](#)) and the SEPA Construction Impacts Policy (SMC [25.05.675 B](#)), mitigation is warranted.

All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7 AM to 7 PM. Interior work that involves noisy construction equipment, including electrical compressors, may be allowed on Saturdays between 9 AM and 7 PM once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by DPD when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the **Noise Abatement Coordinators** (as noted in the conditions) at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

Construction Parking

During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities. Construction workers can be expected to arrive in early morning hours and to leave in the mid-afternoon. Surrounding residents generate their peak need for on-street parking in the evening and overnight hours when construction workers can be expected to have departed. In addition, most of the commercial uses in the surrounding area include enough on-site parking such that street parking is not an issue. Construction parking impacts will be insignificant and therefore SEPA mitigation of parking impacts during construction appears to be unwarranted.

Construction Traffic

Existing City code (SMC [11.62](#)) requires truck activities to use arterial streets to every extent possible. Traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated in part by enforcement of SMC [11.62](#). This immediate area is subject to some traffic congestion during the PM peak hours, and large trucks turning onto arterial streets would further exacerbate the flow of traffic. Pursuant to SMC [25.05.675 B](#) (Construction Impacts Policy) and SMC [25.05.675 R](#) (Traffic and Transportation) additional mitigation is warranted.

The construction activities will require the export/import of material from the site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other building materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which will not be mitigated by existing codes and regulations.

For the duration of the grading activity, the applicant(s) and/or responsible party(ies) shall cause truck trips to cease during the hours between 4 PM and 6 PM on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC [11.62](#).

City code (SMC [11.74](#)) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Long-Term Impacts

Potential long-term or use impacts anticipated by the proposal include: increased height, bulk and scale of building in some areas of the site; increased light and glare from exterior lighting, increased noise due to increased human activity; increased demand on public services; increased traffic on adjacent streets; increased on-street parking, and increased energy consumption. These long-term impacts are not considered significant because they are minor in scope, but some warrant further discussion (noted below).

The likely long-term impacts are typical of this scale of mixed use development, and DPD expects them to be mitigated by the City’s adopted codes and/or ordinances (together with fulfillment of Seattle Department of Transportation requirements). Specifically these are: the Land Use Code (aesthetic impacts, height, setbacks, parking) the Seattle Energy Code (long-term energy consumption), and the street use ordinance. However, more detailed discussion of some of these impacts is appropriate.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the ECA Ordinance, the Stormwater, Grading and Drainage Control Code which requires provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding. Compliance with these applicable codes and ordinances

is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies.

Operational activities, primarily vehicular trips associated with the project and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Parking

The Institute of Transportation Engineers (ITE) provides data in its Parking Generation report documenting average parking demand for various uses, including apartments. The typical urban apartment complex has a parking demand of 1.0 spaces per unit during the week, and 1.02 on Saturdays. A total of 40 parking spaces are proposed for the project. Recent studies have found that parking demand in residential buildings located close to high-frequency, all-day transit are much lower than the average demand reported in the ITE Manual. In First Hill/Capitol Hill Urban Center, a recent analysis determined that the number of vehicles per dwelling unit in the neighborhood ranged from 0.33 to 0.82 with a weighted average of 0.52 per unit. An older study included surveys of 62 separate residential sites which ranged in size from 31 to 62 units. The surveys found that the residential uses provided an average supply of 0.8 spaces per unit, but had a parking demand of only 0.6 spaces per unit.

In the case of the project, three bus routes (5, 355, and 75) are within a quarter mile of the project site and the nearest transit stop is within a 144 feet. The project is providing parking at a ratio of approximately 0.7. All residential parking demand may be accommodated in the stalls provided, however, if not, street parking in the vicinity is not at capacity and there will be enough street parking in the immediate vicinity to capture spillover. Therefore, no mitigation of parking impacts under SEPA is warranted or required according to SMC 25.05.675.M.

Traffic and Transportation

Traffic will increase over existing conditions due to the addition of approximately 54 new residential units to the project site. However, as stated above, in denser urban areas near transit, auto ownership may be somewhat lower than in other parts of an urban area. Therefore, the project's traffic generation may be slightly less than normal. As stated, three bus routes are within a quarter mile of the project site and the nearest transit stop is within a tenth of a mile. The project is slated to be workforce market rate housing. DPD concludes that the project's likely impacts on traffic are minimal, will not be adverse or significant, and require no additional mitigation per SMC 25.05.675.R.

Height, Bulk, and Scale

SMC [25.05.675.G.2.c](#) states, "*The Citywide Design Guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk, and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed*

by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project.”

The site abuts a single family zone, and a single family residence, to the east. The Design Review Board considered the issue of appropriate transitions, and mitigation of height, bulk, and scale impacts to the single family residence. The eastern border of the project site is approximately 7 feet below the single family residence to the east. When constructed, the parking area at the eastern edge of the site (exposed to the air) will be approximately 10 feet below the level of the single family garage adjacent to the project. The parking area will be contained with a concrete retaining wall, and a 6-foot residential fence above the wall to allow a more residential transition to the single family zoning. The project itself has set back 15 feet from the property line; the single family home is approximately 25 feet from the property line, allowing a 40 foot separation between the building and its single family neighbor to the east. Dense existing landscaping will also assist in buffering the home from the project and reducing the perception of height, bulk, and scale. The project includes an additional one foot setback along the portion of the building façade closest to the single family residence in order to further modulate the façade and reduce height bulk and scale impacts. The Design Review Board unanimously recommended approval of the project design. DPD finds that any height bulk and scale impacts have been adequately mitigated by the project, and comply with the applicable design review guidelines. The proposed structure is located on a C1-40 zoned site, and the structure conforms to zoning requirements, including height, bulk, and setbacks. No additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

Light and Glare

The checklist discusses the project’s likely light and glare effects on the surrounding area. The proposed project includes downshielded outdoor lighting and landscaping that will help buffer light and glare impacts from neighboring properties. Lighting will be downshielded but will provide enough light in the evening to provide a safe environment. DPD therefore determines that light and glare impacts are not likely to be substantial and warrant no further mitigation per SMC 25.05.675.K.

Other Impacts

Several codes adopted by the City will appropriately mitigate the use-related adverse impacts created by the proposal. Specifically these are: Grading and Drainage Control Ordinance (storm water runoff from additional site coverage by impervious surface); Puget Sound Clean Air Agency regulations (increased airborne emissions); and the Seattle Energy Code (energy consumption in the long term).

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW [43.21C.030\(2\)\(C\)](#).

CONDITIONS – SEPA

The following condition(s) to be enforced during demolition/construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

The owner applicant/responsible party shall:

During Construction (including demolition)

Construction activities, other than those taking place within the enclosed building, are limited to the hours of 7 AM to 7 PM on non-holiday weekdays. It is recognized that there may be occasions when critical construction activities of an emergency nature, related to safety or traffic issues may need to be completed after regular construction hours as conditioned herein. Therefore the Department reserves the right to approve waivers of these construction hour and day restrictions. Such waivers must be requested at least three business days in advance, and approved by the Department on a case-by-case basis prior to such work. After the building is fully enclosed, on a floor-by-floor basis, interior work may be done at any time in compliance with the Noise Ordinance with no pre-approval from the Department.

1. All construction activities are subject to the limitations of the Noise Ordinance, SMC [25.08](#). Construction activities (including but not limited to demolition, grading, deliveries, framing roofing, and painting) shall be limited to non-holiday weekdays between the hours of 7 AM and 7 PM. Interior work that involves noisy construction equipment, including electrical compressors, may be allowed on Saturdays between 9 AM and 7 PM once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.
2. For the duration of grading activity, the applicant(s) and/or responsible party(ies) shall cause truck trips to cease during the hours between 4 PM and 6 PM on weekdays.

Construction activities outside the above-stated restriction may be authorized by DPD when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours are weekend days must be submitted to **Noise Abatement Coordinators** — David George david.george@seattle.gov (206) 684-7843 or Jeff Stalter jeff.stalter@seattle.gov (206) 615-1760 — at least **three (3) days in advance of the requested dates** in order to allow DPD to evaluate the request.

CONDITIONS – DESIGN REVIEW

The owner applicant/responsible party shall:

Prior to MUP Issuance

The applicant shall satisfy the following design review conditions imposed by the Design Review Board:

3. The project shall increase the amount of landscaping along Greenwood Avenue North, either in planter boxes near the building or in planting strips/tree wells closer to the street. Pay particular attention to those areas near the building where there are no overhead weather canopies.
4. The project shall redesign the vault room to reduce the impact of the exit doors on the Greenwood façade. Potential redesign options may include “Option B” as shown in the design review presentation. The blank wall condition created by the vault room should be mitigated with a stamped concrete treatment or by landscaping (planters or strip).
5. The entries/storefronts of the live/work units should be emphasized to signal that they are commercial entries. Emphasis could be done by the addition of planter boxes/pots, or by adding color or definition to the storefront window system and live/work doors.
6. The applicant shall work with DPD to ensure a good solution for trash/recycling storage on trash/recycling day. The trash and recycling should not be placed on the sidewalk of 107th for pickup.
7. The applicant shall work with DPD to redesign the parking gate. The parking gate need not include full screening, but should not damage the landscaping on 107th, and should not impede pedestrian traffic.
8. The applicant shall ensure through the use of irrigation and proper plant choice that the landscaping screening the blank wall on 107th is viable.
9. The leasing office shall maintain transparency to the street; the area fronting the street must be in active use, not in hallway or other inactive use.
10. The Board recommends Option A (non tiger-stripe) as presented at the final design review board recommendation meeting for the southern blank wall treatment.

For the Life of the Project

11. The applicant must retain the fenestration, architectural features and elements, and arrangement of finish materials and colors presented to the Design Review Board on September 26, 2011, and as modified in updated plans approved by Colin R. Vasquez, Senior Land use Planner, following the Board’s recommendation meeting.

Prior to Building Permit Issuance

12. Any proposed changes to the exterior of the building must be submitted to DPD for review and approval of the Senior Land Use Planner (Colin R. Vasquez, 206-684-5639). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
13. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project, or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least three (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
14. Embed all of these conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP Plans, and all building permit drawings.

Compliance with all applicable conditions must be verified and approved by the Senior Land Use Planner, Colin R. Vasquez (206-684-5639) at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved. **Prior to any alteration of the approved plan set on file at DPD, the specific revisions shall be subject to review and approval by the Land Use Planner.**

Signature: _____ (Signature on File)
Colin R. Vasquez, Senior Land Use Planner
Department of Planning and Development

Date: December 8, 2011